# Fee Waiver Application: FW 23-1059

**LUHO Hearing Date:** 

October 23, 2023

Case Reviewer: Colleen Marshall, AICP, CFM



**Development Services Department** 

Applicant: Jahna Elizabeth Allen Zoning: ASC-1

Location: 501 and 511 Telfair Road, Brandon; Folios: 68568.0050, 68568.0000

## Request:

The applicant requests a fee waiver on the basis of staff error. The Administrator is not authorized to grant fee waivers in such circumstances. Therefore, the subject request must be reviewed for approval of an Exception by the Land Use Hearing Officer. Per DRPM Section 9.7.G, the LUHO shall conduct an independent review of the request based on the criteria herein and the testimony at the proceeding. In granting an Exception, the LUHO shall be required to find extraordinary financial circumstances, emergency, catastrophe, or staff error which are outside the scope of the Administrator's authority to consider.

Building Division staff has provided a summary of the permit history in this matter and a copy of the building permit file SF002821, which is attached to this report.

**Zoning Administrator Sign Off:** 

Colleen Marshall

Tue Oct 10 2023 17:16:23

ATTACHMENTS: BUILDING DIVISION STAFF SUMMARY AND BUILDING PERMIT SF002821

## Attachment 6

From: Blinck, Jim
To: Joe Moreda

Subject: FW: Telfair building permits

Date: Thursday, April 20, 2023 4:52:20 PM

Attachments: image001.png

image002.png image003.png

Telefair Bldg 501 and 511.pdf

Aerial.pdf

68568.0000 HCPA.PDF 68568.0050 HCPA.PDF

scan blinckj 2023-04-20-15-14-46.pdf

#### Joe,

The property at 511 Telfair Road, folio 068568.0000, has the dwelling that that was constructed in 1962, which we have no history record and is also the same location with the metal storage structure was built in 1998 under building permit NGB02083. That permit was approved by Harry Humen.

The property at 501 Telfair Road, 068568.0050 has a dwelling that was constructed in 1992 with a valid building permit on a separate non-conforming lot. I've included in an attachment showing a deed issued splitting the parcel into 2 separate parcels deeded back to the same owners. Staff is going to look this permit up in micro film and provide all documentation that was submitted to construct the dwelling in 1992. The roof permit RFG63291, was approved with a final on 03/30/2009. The mechanical replacement permit, NME87457 was approved with a final on 01/04/2015. Both of these permits are trade permits that are issued with no review and most likely issued online. I hope this information is helpful, and if you have any questions, please do not hesitate to contact me. Take care.

## Jim Blinck

### **Executive Manager**

**Building and Construction Services** 

P: (813) 274-6613 M:(813) 393-9512

E: BlinckJ@HillsboroughCounty.org

W: <u>HCFLGov.net</u>
Hillsborough County

601 E. Kennedy Blvd., Tampa, FL 33602

Facebook | Twitter | YouTube | LinkedIn

Please note: All correspondence to or from this office is subject to Florida's Public Records law.

From: Joe Moreda < jmoreda@gardnerbrewer.com>

**Sent:** Thursday, April 20, 2023 11:15 AM

**To:** Blinck, Jim <BlinckJ@HillsboroughCounty.ORG> **Cc:** Kline, Dennis <KlineD@HillsboroughCounty.ORG>

Subject: Telfair building permits

WARNING TO OWNER: Your failure to record a Notice of Commencement may result in your paying twice for improvements to your property. If you intend to obtain financing, consult with your lender or an attorney before recording your Notice of Commencement.

In consideration of the granting of the above permit, I do hereby agree that all work performed shall be in accordance with all plans and other information submitted herewith, and said work shall conform with all requirements of applicable Federal, State and Hillsborough County Codes and Regulations.

This permit will be revoked if any misrepresentation or false statement is made on the application or plans on which approval of the permit has been based. Permit shall be void if work is not commenced within six (6) months of permit issuance. Permit is void if structure or use is prohibited by deed restriction, zoning regulation, County ordinance, or general laws of the State of Florida. The mere issuance of this permit creates no vested right in the permittee.

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.

RCPT 02131036 CODE 0012 DEC 11, 1991 4:18 PM OPR 0120 REFERENCE NO. SF002821 TRAN 10TAL 328.12 CHECK

SIGNATURE OF DWNER OR AGENT Sue & Blue

APPLICATION DATE

g D

Address: 501 TELFAIR RD

Owner Name: BLUE JOHN & SUE Applicant Name: BLUE SUE Tax Folio No: 068568.0050 Project Number: SF002821
Permit Type: BUILDING PERMIT

t Use: P1-NEW-1-S-SFR/1BR LAL#1191

Occupancy Class: 161

VALUATION: 72,327

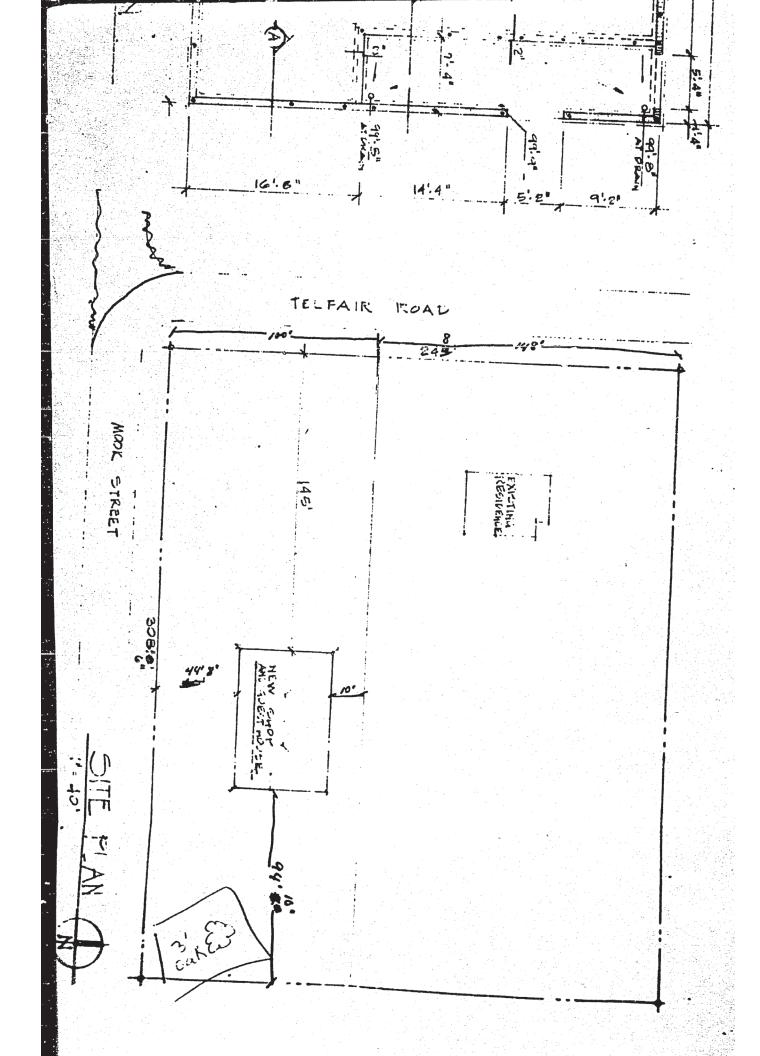
Map#/Block/Lot 0000000/0 /0
Qtr(2)Sec(2)Twp(2)Rge(2) NW222920
Subdivision Name METES AND BOUNDS
Setback Front/Rear 145 /94
Left/Right 10 /44
Flood Zone C

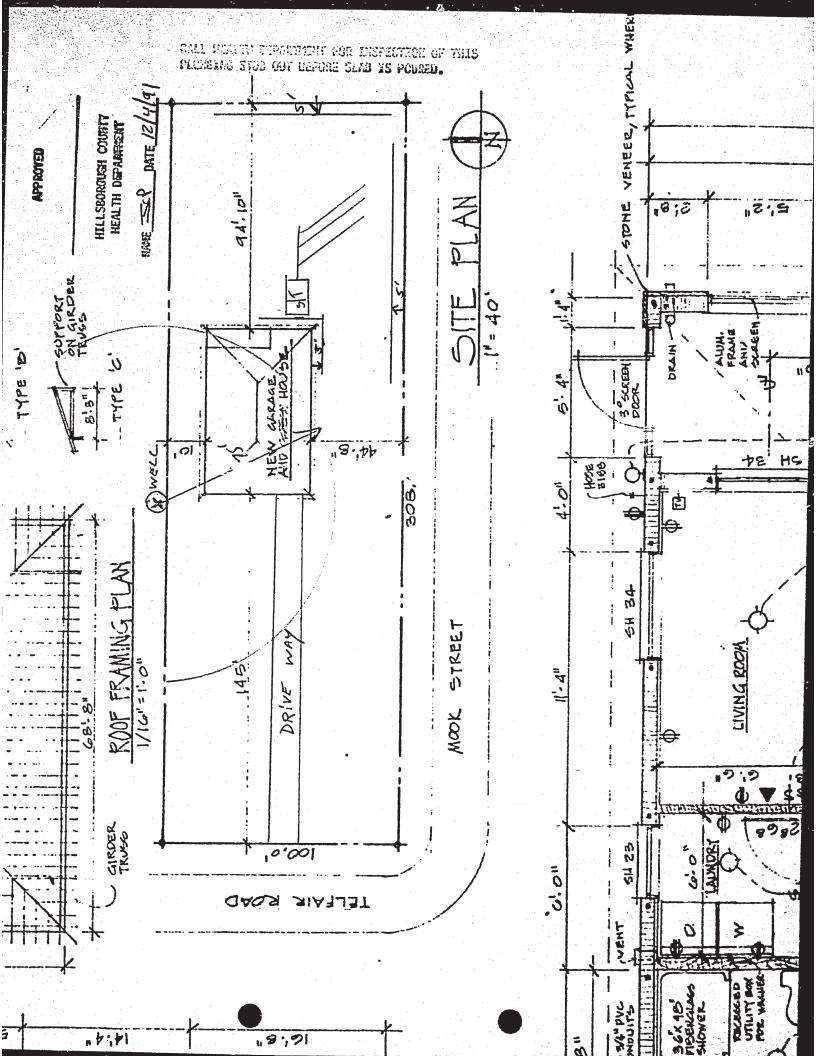
Impact Zone 4-NE

Fee description	Units	Fee/Unit	Ext fee	Data
Enter # Of Stories				17.11
Enter Valuation and/or				
Enter Square Feet	1060	30.00		ment of the second
Enter Square Feet	2052	19.75		
Building Fee		1	262.00	
RadonEnter SqFt>	3112	.01	31.12	
Landscape (\$35)			35.00	Y
Total Building Fee		5 S	262.00	
Total Roof Fee	- x'	***		
Total Radon Fee			31.12	
Total Landscape Fee			35.00	
***** TOTAL IMPACT FEE DUE *****				2160.03
*** Fees Required *** ***	Fees Co	llected & Ca	redits	***

				the state of the s	
Receip	t No.	Date		Payment	
BL		12/11/91		262.00	
RADON		12/11/91		31.12	
LAL		12/11/91		35.00	
	1	Lic. C CRC	000000	813 9	999999

CONTRACTOR : HOME OWNER





is instrument Prepared by: John E. & Sue S. Blue 608 Meade Street Brandon, Florida 33510

operty Appraisers Parcel Identification (Folio) Number(s):

anteels) S.S. #(s):

68568.0000

BPACE ABOVE THIS LINE FOR PROCESSING DATA

Documentary Tax Pd - F.S. 201.02 \$ Documentary Tax Pd - F.S. 201.08 Intangible Tax Pd - F.S. 199 \$ Richard Ake, Clerk Hillsborough County
By: Do

Deputy Clerk

This Quit-Claim Beed, Executed this

day of October , A.D. 19 91

£ 6417 pc 555

John E. & Sue S. Blue first party, to

whose post office address is 608 Meade Street, Brandon, Florida 33510

second party: John E. & Sue S. Blue

(Wherever used herein the terms "linst party" and "second party" shall include singular and plurat, hele, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires)

HEGORD VERIFIED Ribar Oh

Clerk of Circuit Court

Hillsborough County, Fig.

By Cynthia G. Bloe, D.G.

Witnessetly. That the said first party, for and in consideration of the sum of \$ 0.0 in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of , State of Florida

PARCEL "A'

The West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/2 of Section 22, Township 29 South, Range 20 East, Hillsborough County, Florida, LESS the North 388.93 fert thereof, ALSO LESS the South 125.00 feet thereof, AND ALSO LESS the West 30.00 feet thereof for Road-Of-Way.

PARCEL "B"

The South 125.00 feet of the . . . 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 22, Township 29 South, Range 20 East, Hillsborough County, Florida, LESS the West 30.00 feet thereof for Road Right-Of-Way. ALSO LESS the South 25.00 feet thereof for Road Right-Of-Way.

There is no consideration.

To Haur and to Hold The same together with all and singular the appurtenances thereunto belonging on in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and scaled these presents the day and year first above written.

Signed, sealed and delivered in the presence of:	116-1	
alice m. Lei	- Of E: Ble	证.色.
Witness Signature (as to first Grantor)	Grantof Signiture	ш.е.
- Alice M. Leis	John E Blue	
Printed Name	l'rialed Name	
Winere Elgrafolis (se so first Crantor)	608 Meade Street, Brandon, Fl.	33510
Virginia R. Smith		
Witness Signature (as to second Grantor, If say)	Sue S. Blue.	₩.₽.
	Craator Signature	
Alice M. Leis	Sue S. Blue	
Printed Name	Printed Name	
Virginia & Smith	608 Meade Street, Brandon, Fl.	33510
Witness Signature (as to second Grantor, If any)	Fost Office Address	
Virginia R. Smith		
STATE OF FLOPIDA		

COUNTY OF HILLSBOPOUCH I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared John E. Blue & Sue S. Blue

to me known to be the personS gdescribed in and who executed the foregoing Quit-Claim Deed and The Vacknowledged before me that They executed the same.

WITNESS my hand and official scal in the County and State last aforesaid this 28 thing of Oc

A.D. 19 97

HILLSBOROUGH COUNTY, FLURIDA

# Office of the County Administrator



RE: FLOOD ZONE/ELEVATION DETERMINATION REQUEST DATE: NW. 27, 1991
(P∦ease attach copy of deed if property
is not in platted subdivision.)
THE APPLICANT ACKNOWLEDGES THAT THE COUNTY, NOR ANY OF ITS AGENTS, WILL BE HELD RESPONSIBLE FOR ANY ERRORS OR OVERSIGHTS AS A RESULT OF THE FLOOD ZONE DETERMINATION  Flood Zone/Elevation determination for property located at and being further described as:  **The Applicant Acknowledges THAT THE COUNTY, NOR ANY OF THE WEST OF THE PROPERTY STATES OF THE PROPERTY STATES OF THE WEST OF THE PROPERTY STATES OF THE P
(Applicant Signature)  1 The NW/4 of the SW/4 of the NW/4  (Name)
(Name) a Saa, Tag, Rão less the West
(Street)
(City) # 68.568,0050 The S. 25 ft Hureof for road r-0-W.
(THIS SECTION IS TO BE COMPLETED BY A HILLSBOROUGH COUNTY OFFICIAL.) En Delfair Rd.  Brandon. 31 33540
DATA USED IN DETERMINATION HAS BEEN TAK.
FLOOD INSURANCE RATE MAPS (FIRM) - Community Panel #120112 0385E (8-15-89) UNITED STATES GEODETIC SURVEY - Sheet #
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) MAP - Sheet # 522 T 29 620
PLEASE NOTE ALL ITEMS CHECKED
THE FOLLOWING COMPLIES WITH HILLSBOROUGH COUNTY FLOOD DAMAGE CONTROL ORDINANCE AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS:
1. The FIRM Zone is
2. The 100-Year Base Flood Elevation (Undeveloped) is NA NGVD.
3. The above referenced subdivision required the finish floor to be constructed at NA NGVD per approved lot grading plan.
4. The above referenced "metes and bounds" site requires the finish floor be
constructed at NGVD or above.
5. The above described property is in a FLOODWAY.
6. The above described property is in a <u>VELOCITY ZONE</u> and no fill is allowed for structural support. The minimum elevation of the lowest portion of the structural members of the lowest floor (excluding the pilings or columns) which complies with the Hillsborough County Flood Damage Control Ordinance for the subject site isNGVD.
7. The above described property is in Flood ZONE and DOES NOT require that a finish floor elevation be set. Use of a higher elevation by the applicant is permitted.
The above information is furnished to the best of our abilities based on available re-
Wrneka A. Lawrence HILLSBOROUGH COUNTY DEVELOPMENT REVIEW DEPARTMENT
*** (ALL MAIL REQUESTS REQUIRE A STAMPED, SELF- ADDRESSED ENVELOPE)  LOCATION OF ZONES IS AS INDICATED

AND GARAGE HOUSE 308.5 nook ,01 SITE PLAN 1"=4) ,06 TELFAIR

ALL CONSTRUCTION JET TAKE PLACE ACCORDING TO APPER IVED SITE PLAN NO CONSTRUCTION IS PERMITTED ON ASEMENTS

PLANS EXAMINED AND ACCUSED IN ACCORDANCE WITH MILE STANGED OF THIS DERNIT SHALL NOT THE BE HELD TO FORM OR AFFRONE THE UNLATION OF AFFRONE THE WILLATION OF ANY COUNTY OR STATE LAW. COPE. HEGULATION, OR CHETWANCE



September 28, 2023

## VIA ELECTRONIC MAIL

Brian Grady, AICP Hillsborough County Development Services, Senior Planner 601 E Kennedy Blvd Tampa, FL 33602

Re:

501 and 511 Telfair / Fee Waiver Due to Staff Error

Dear Brian:

Thank you and your team for taking the time to work though this matter. As a follow-up to our meetings, we are filing the subject Fee Waiver for the Land Use Hearing Officer to consider and Exception pursuant to Development Procedures Review Manual Sec 9.7.G. The Fee Waiver is being sought to offset expenses to the property owner for necessary rezoning and subdivision fees to overcome previous staff errors in permitting and recognize two single family homes and related lots as conforming. Please see Attachment 1 for an aerial view of the subject property and Attachment 1a for the related survey.

As you may recall, the subject site consists of two (2) folios: (68568.0000 / 511 Telfair Rd.) and 68568 / 501 Telfair Rd.). Each folio contains an existing single-family home, and the northern folio (511 Telfair Rd.) also contains a metal storage structure. Please see Attachments 2 and 3 for Hillsborough County Property Appraiser site data.

The subject zoning is ASC-1 (one dwelling unit per acre), and the Future Land Use is R-6 (six dwelling units per acre). The approximate acreage for 501 Telfair is 0.86 and the approximate acreage for 511 Telfair is 0.85. The total approximate acreage of both lots is approximately 1.7 acres. The total acreage is not sufficient to sustain the subdivision of two conforming ASC-1 one acre lots. Please see Attachments 4 and 5 for zoning and land use data.

In 1992 the subject property was also zoned ASC-1 and in the same configuration. During that year Hillsborough County issued valid single family residential building permits for folio 68568.0000 / 511 Telfair Rd. on a non-conforming lot (See Attachment 1). However, when contacted for verification the staff indicated the subject lot does not meet the criteria for legal nonconforming lot certification and the permits were issued in error. Accordingly, the permitting error resulted in two (2) homes placed on two (2) nonconforming lots (both lots are less than the required one-acre zoning minimum). See Attachment 6 for permit error.

To offset the financial burden on the property owner of revisiting the regulatory process to correct the staff error and avoid removing a single-family dwelling from the property, a Fee Waiver of the rezoning and subdivision fees is being requested. We believe the circumstances explained above are sufficient to request relief of said processing fees related to potentially correcting the error through rezoning.

Thank you for your consideration and please feel free to contact me with any questions or comments.

400 North Ashley Drive, Suite 1100 Tampa, Florida 33602 (813) 221-9600

www.gardnerbrewer.com





### **DEVELOPMENT SERVICES**

PO Box 1110, Tampa, FL 33601-1110 (813) 272-5600

October 04, 2023

REFERENCE: FW 23-1059

Jana Elizabeth Allen 199 Fox Run Dr. Blue Ridge, GA 30513

Dear Applicant:

BOARD OF COUNTY COMMISSIONERS

Donna Cameron Cepeda Harry Cohen Ken Hagan

Pat Kemp Gwendolyn "Gwen" Myers Michael Owen

**COUNTY ADMINISTRATOR** 

Bonnie M. Wise

Joshua Wostal

COUNTY ATTORNEY

Christine M. Beck

**COUNTY INTERNAL AUDITOR** 

Peggy Caskey

**DEPUTY COUNTY ADMINISTRATOR** 

Gregory S. Horwedel

This letter is in response to your fee waiver application, FW 23-1059, which seeks to waive the application fee for a re-zoning request for properties located at 501 and 511 Telfair Rd. Brandon, with folios# 68568.0000 and 68568.0050, on the basis of staff error.

Please be advised that pursuant to Section 9.7 of the Development Review Procedures Manual, staff may not approve any fee waivers requested on the basis of staff error. Additionally, such requests are automatically scheduled for review by a Land Use Hearing Officer at a public hearing.

Accordingly, your fee waiver application has been scheduled for review by a hearing officer on <u>October 23, 2023</u>. The meeting will begin at 10:00 am in the 2<sup>nd</sup> Floor Boardroom at County Center, 601 E. Kennedy Blvd., in downtown Tampa. At that time, you may present testimony and evidence to the hearing officer on the matter. Please note that failure to appear at the hearing, unless you request a continuance in advance, will result in denial of your fee waiver request.

Please contact our office if you have any questions.

Sincerely,

Brian Grady, Director

). Brian Grady

Community Development Division Development Services Department

CC: Israel Monsanto, Executive Planner, Development Services Colleen Marshall, Executive Planner, Development Services

Maricela Medrano, Executive Planner, Development Services

Carmen Mason, Planning and Zoning Technician II, Development Services



Received
09/29/2023
Development
Services
Hillsborough
County Florida

**Development Services** 

# **Fee Waiver Application**

# **Shaded Area For Official Use Only**

Application prefix and number: 23	- 1059
Hearing(s) and type: Date:	
Date:	Type:
Receipt number:308278	
Application type as referenced in LDC: Fee Waiver	
Intake date: 9/29/2023 Intake technici	ian signature:Clare Odell
	- 120
	nt's Representative
Name: Joseph Moreda, AICP and Gardner Brewer I	Hudson
Address: 400 North Ashley Drive, Suite 1100	
	Daytime phone: ( 813 ) 392-9495
Email: Landuse@gardnerbrewer.com	Fax number: ( )
	Applicant
Name: _Jahna Elizabeth Allen	
Address: 199 Fox Run Drive	
City / State / Zip: Blue Ridge/ GA / 30513	Daytime Phone: ( )
	Fax number: ( )
Pro	operty Owner
Name: Jahna Elizabeth Allen	
Address: 199 Fox Run Drive	
Diva Dida / 04 / 00540	Daytime Phone: ( )
	Fax number: ( )
	,
Property address or general location: 501 and 511 Telfa	air Rd. Brandon, FL.
Nature of request: Fee Waiver (due to staff error)	
Related applications: A remedial rezoning and subdiv	ision review are necessary to conform the use of the property.
Proposed utilities: public water private well_	x public wastewater septic tank x
(Additional information r	equired on "Property Information Sheet")
I hereby swear or affirm that all the information	I hereby authorize the processing of this application
provided in the submitted application packet is t and accurate, to the best of my knowledge, ar	
authorize the representative listed above to act of	
my behalf on this application.	Oxforme Elember to Colland
Jun Elychett all-	Signature of the Owner(s) – (All parties on the deed must sign)
Signature of the Applicant	Jahna Elizabeth Allen
Jahna Atte Dizabeth Allen	Type or print name



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0385H
FIRM Panel	12057C0385H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	X
Pre 2008 Firm Panel	1201120385E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Census Data	Tract: 012301 Block: 1016
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 68568.0000
PIN: U-22-29-20-ZZZ-000002-56250.0
Jahna Elizabeth Allen
Mailing Address:
199 Fox Run Dr
null
Blue Ridge, Ga 30513Site Address:
511 Telfair Rd
Brandon, Fl 33510

SEC-TWN-RNG: 22-29-20 Acreage: 0.85859901 Market Value: \$177,872.00 Landuse Code: 0100 Single Family

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1. Any error, omissions, or inaccuracies in the information provided regardless of how caused.

Or 2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.



# PARCEL INFORMATION HILLSBOROUGH COUNTY FLORIDA

Jurisdiction	Unincorporated County
Zoning Category	Agricultural
Zoning	ASC-1
Description	Agricultural - Single-Family Conventional
Flood Zone:X	AREA OF MINIMAL FLOOD HAZARD
FIRM Panel	0385H
FIRM Panel	12057C0385H
Suffix	Н
Effective Date	Thu Aug 28 2008
Pre 2008 Flood Zone	Х
Pre 2008 Firm Panel	1201120385E
County Wide Planning Area	Brandon
Community Base Planning Area	Brandon
Census Data	Tract: 012301 Block: 1016
Future Landuse	R-6
Future Landuse	R-6
Future Landuse	R-6
Urban Service Area	USA
Mobility Assessment District	Urban
Mobility Benefit District	2
Fire Impact Fee	Central
Parks/Schools Impact Fee	CENTRAL
ROW/Transportation Impact Fee	ZONE 4
Wind Borne Debris Area	Outside 140 MPH Area
Competitive Sites	NO
Redevelopment Area	NO



Folio: 68568.0050 PIN: U-22-29-20-ZZZ-000002-56260.0 Jahna Elizabeth Allen Mailing Address: 199 Fox Run Dr null Blue Ridge, Ga 30513-

Site Address: 501 Telfair Rd Brandon, Fl 33510

SEC-TWN-RNG: 22-29-20 Acreage: 0.86254197

Market Value: \$248,857.00 Landuse Code: 0100 Single Family

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2. Any decision made or action taken or not taken by any person in reliance upon any information or data furnished hereunder.

